

PATENT

Serial No. 10/562,285

Amendment in Reply to Final Office Action of December 23, 2008

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated December 23, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-20 are pending in the Application.

In the Final Office Action, claims 1-20 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,285,692 to Okayasu ("Okayasu") in view of U.S. Patent No. 6,574,257 to Thronton ("Thronton") in further view of U.S. Patent Publication No. 2004/0052185 to Lehr ("Lehr"). This rejection of the claims is respectfully traversed. It is respectfully submitted that claims 1-20 are allowable over Okayasu in view of Thronton and Lehr, for at least the following reasons.

It is undisputed that Okayasu in view of Thronton fails to disclose or suggest "the predefined time, magnitude, and time period of the pre-bias signal are selected to tune an output power profile of the output optical signal to a desired profile." (See, Final Office Action, page 3.) Lehr is cited to supply that which is admitted missing from Okayasu in view of Thronton, however, it

is respectfully submitted that reliance on Lehr is misplaced.

Lehr shows in FIG. 3, cited in the Final Office Action, a bias current OFS which precedes a cool down current CO and an erase current ER, which each in turn precedes a write current WR. Lehr is clear that it is only the "bias OFS [wherein] the laser diode [is] below the radiation onset." (See, Lehr, paragraph [0025], cited in the Final Office Action.) This is consistent with that which is readily appreciated by a person of ordinary skill in the art, namely, that each of a read bias current and an erase bias current exceed a lasing current of the device laser diode.

As is clear from a simple visual inspection of FIG. 3, Lehr teaches that the bias current OFS is proceeded by each of a cool-down current CO and an erase current ER prior to application of the write current WR.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Okayasu in view of Thornton in further view of Lehr. For example, Okayasu in view of Thornton in further view of Lehr does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis added) "supplying, to the diode laser device as the control signal and at a predetermined turn-on time, a write

bias signal having a value which exceeds the threshold value,
wherein the threshold value is a lasing threshold for the diode
laser device, and supplying to the diode laser device, as the
control signal and at a predefined time before the predetermined
turn-on time, a pre-bias signal, which has a magnitude less than
the threshold value and extends for a time period to immediately
before the write bias signal, wherein the predefined time,
magnitude, and time period of the pre-bias signal are selected to
tune an output power profile of the output optical signal to a
desired profile" as recited in claim 1, and as similarly recited in
each of claims 7 and 13. As is clear from Lehr, the write current
is immediately preceded by an erase current ER and a cool down
current CO which proceed the bias current OFS.

Based on the foregoing, the Applicants respectfully submit
that independent claims 1, 7 and 13 are allowable over Okayasu in
view of Thornton in further view of Lehr, and notice to this effect
is earnestly solicited. Claims 2-6, 8-12, and 14-20 respectively
depend from one of claims 1, 7 and 13 and accordingly are allowable
for at least this reason as well as for the separately patentable
elements contained in each of the claims. Accordingly, separate

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consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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